

BEFORE THE BOARD OF MEDICAL EXAMINERS

OF THE STATE OF IOWA

02-96-357

IN THE MATTER OF THE COMPLAINT :
AND STATEMENT OF CHARGES AGAINST : FINDINGS OF FACT AND
WILLIAM GENE STONE, M.D., : DECISION
RESPONDENT. :

This matter having come on for hearing on Thursday, September 9, 1976 at 1:30 p.m. in Room B., Iowa Medical Society, 1001 Grand Avenue, West Des Moines, Polk County, Iowa, before the above entitled Board, at which time John M. Rhodes, M.D., Chairman, Kenneth R. Carrell, D.O., Vice-Chairman, Howard G. Ellis, M.D., Secretary, Hal R. Hirleman, M.D., Rosalie B. Neligh, M.D., Cyrus L. Beye, M.D., Frederick V. Hetzler, D.O., Mrs. Sheila D. Sidles and Joseph A. McCaffrey, Ph.D., were present.

FRED M. HASKINS, Assistant Attorney General, Attorney General's Office, State Capitol, Des Moines, Iowa, appeared on behalf of the State of Iowa and the respondent, William Gene Stone, M.D. appeared in person and with his attorney, Melvin Wolf.

The Board having read the Complaint and Statement of Charges filed of record herein, and having heard and considered the evidence and statements of Counsel and being fully advised in the premises finds that it has jurisdiction of the subject matter of this action and the parties hereto and does now make and enter the following Findings of Fact and Decision:

FINDINGS OF FACT

- 1. That the respondent, William Gene Stone, M.D., was issued a license to practice medicine and surgery in the State of Iowa on the 12th day of August, 1963, as evidenced by Certificate No. 16751, recorded in Book 3 at page 795 of the records of the Iowa State Department of Health.
2. That on or about January 17, 1976, the respondent, William Gene Stone, M.D., entered the Fox's Shoe Store, in College Square Shopping Center, Cedar Falls, Iowa, and asked for a return of his money for a pair of shoes he had purchased. When the clerk

said he could not do so because they had been bought on sale, the respondent pulled a knife out of a shoe box he was carrying and threatened the clerk.

3. That as a result of the above incident the respondent was arrested and charged with the crime of assault which is a misdemeanor under the provisions of Section 694.1 of the 1975 Code of Iowa, and with the crime of carrying a concealed weapon which is a felony under the provisions of Section 695.3 of the 1975 Code of Iowa.

4. That on August 13, 1976 the respondent plead guilty to a violation of Sections 694.1 and 695.2, Code of Iowa, 1975, in the District Court of the State of Iowa, in and for Black Hawk County.

5. That following the above incident the respondent spent one month in the Psychiatric Unit at Mayo Clinic, Rochester, Minnesota under the care of Alan H. Rosenbaum, M.D. About a week after leaving the Mayo Clinic he spent one additional week in the Psychiatric Unit of St. Luke's Methodist Hospital, Cedar Rapids, Iowa, under the care of Saturnino Sotero Ortega, M.D. Since then the respondent has continued in regular therapy with S. S. Ortega, M.D.

6. That the respondent is capable of practicing medicine and surgery with reasonable skill and safety.

7. That the above incident was the result of the respondent having been under considerable strain for several weeks and when he became involved in an argument and in the course of the argument, pulled a knife that he accidentally had with him and made some threatening remarks. The respondent's psychiatrist is of the opinion that a repetition of this type of behavior is extremely unlikely since this has not been the respondent's usual pattern of behavior and he recommends psychotherapy to alleviate the respondent's overall stress which he has been under.

8. That the respondent, William Gene Stone, M.D. has plead guilty to the crime of carrying a concealed weapon, which is a felony under the provisions of Section 695.3, 1975 Code of Iowa, and constitutes grounds for the suspension or revocation of his medical license under the provisions of Sections 147 .55 (5) and 148.6 (1) (b), 1975 Code of Iowa.

DECISION

The Board of Medical Examiners recommends to the Commissioner of Public Health and it is the decision of the Board that the license to practice medicine and surgery heretofore issued to the respondent, William Gene Stone, M.D., on the 12th day of August, 1963 as evidenced by Certificate No. 16751, recorded in Book 3 at page 795 of the records of the Iowa State Department of Health, be, and the same is hereby revoked: provided, however, that the execution of this order, be, and the same is hereby stated, upon the following terms and conditions:

1. The respondent is hereby placed on probation for a period of three (3) years. During the respondent's term of probation, he shall make annual appearances before the State Board of Medical Examiners. The respondent shall be notified of the exact time and place of these annual meetings.
2. The respondent shall immediately make provision for continuous psychiatric treatment and evaluation by a psychiatrist approved by the State Board of Medical Examiners. It shall be a duty and responsibility of the respondent to insure that the treating psychiatrist submits quarterly reports to the Executive Director of the State Board of Medical Examiners.
3. The respondent shall authorize any physician who treats him as a patient to submit to this Board a report on his mental or physical condition and prescribed course of treatment. The treating physician shall also submit additional reports whenever, or as often as, this Board shall so direct.
4. The respondent shall submit to an examination by a physician designated by this Board whenever, or as often as, this Board shall so direct.
5. The discontinuance of medical treatment by respondent without the prior consent of his attending physician or the Board of Medicine

Examiners shall automatically and forthwith result in the suspension of the respondent's license to practice medicine and surgery in this state and any attempt to so practice during this period of suspension shall be deemed to be a violation of his probation and good cause for the dissolution of same. The said suspension shall terminate under circumstances in which the respondent shall resume treatment or care and under circumstances where he shall not otherwise have violated any other provision herein expressed.

6. The respondent shall obey and fully comply with all rules, regulations, restrictions requirements, and directives of any hospital, or the medical staff thereof, in which he shall practice medicine.

7. That the respondent shall comply with the order for deferred judgement and probation, which was entered by the Honorable Frank D. Elwood, Judge, First Judicial District, Iowa, on the 2nd day of September, 1976 in Cause No. 17540, entitled the State of Iowa, plaintiff, versus William Gene Stone, defendant.

8. The respondent shall submit quarterly reports to the director of the State Board of Medical Examiners stating that he has fully and faithfully complied with all of the terms and provisions imposed herein.

9. That upon full compliance with the terms and conditions herein set forth and upon expiration of the term of probation herein fixed, respondent's said license shall be restored to its full privileges free and clear of the terms of the probation herein imposed, provided, however, that in the event respondent violates or fails to comply with any of the terms and conditions of this Order of Probation, the Board, upon receipt of satisfactory evidence thereof, may forthwith terminate said probation, cancel and revoke said stay of execution, and direct that the order of revocation herein made shall become effective immediately.

10. That pursuant to the provisions of Section 148.6 of the 1975 Code of Iowa, the Commissioner of Public Health is hereby directed to issue an order in conformity with the provisions of the decision of the Board set out herein.

IOWA STATE BOARD OF MEDICAL EXAMINERS

BY:

John M. Rhodes, M.D., Chairman

Kenneth R. Carrell, D.O. Vice-Chairman

Howard G. Ellis, M.D., Secretary

Hal R. Hirleman, M.D.

Rosalie B. Neligh, M.D.

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